

HOUSE BILL 3623

By Casada

AN ACT to amend Tennessee Code Annotated, Title 8,
Chapter 23, relative to paycheck protection.

WHEREAS, the state of Tennessee is a right to work state; and

WHEREAS, Tennessee's right to work laws are premised on the belief that employees should be permitted to decide for themselves whether or not to join or financially support a union or employee organization; and

WHEREAS, in 1998, the U.S. Supreme Court decided the landmark case, *Communication Workers v. Beck*, which established the rights of employees working under union contracts to pay only those union dues or fees necessary for performance of a union's employee representation duties; and

WHEREAS, pursuant to the decision in *Beck*, fees to support union expenditures unrelated to workplace representation, such as political, social, or charitable contributions, are not mandatory; and

WHEREAS, the state of Tennessee firmly believes it is good public policy to extend the "Beck" protections to state employee associations and public employee organizations; and

WHEREAS, paycheck protection laws allow union workers to make their own political, social, and moral choices about how their dues are spent, without having to sacrifice their economic interests as union members; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 8, Chapter 23, Part 2, is amended by adding the following as new sections:

8-23-210.

A public employee organization, or a state employee association that qualifies for dues deductions pursuant to § 8-23-204, which accepts payment of any dues, fees or assessment from an employee as a condition of employment pursuant to an agreement authorized by law must annually secure from each covered employee prior, voluntary, written authorization for any portion of such dues or fees which will be used by the public employee organization or state employee association for activities not necessary to collective bargaining, contract administration, and grievance adjustment.

8-23-211.

When an employee requests a written record of a public employee organization or state employee association's expenditures, the public employee organization, or state employee association shall account for and report fees and expenses in such detail as necessary to allow employees to determine the proportionate costs of collective bargaining, contract administration, and grievance adjustment, and the costs of other activities.

8-23-212.

At any time an employee may submit notice to the public employee organization or state employee association that the employee wishes to only pay the employee's provision of mandatory dues for collective bargaining, contract administration, and grievance adjustment. Upon receipt of such notice by the employee organization or state employee association, such organization or association shall notify the employer no later than the employee's next regular date of pay, or within five (5) days, whichever is later, of the employee's notice and authorization to reduce or eliminate the amount of dues deductions pursuant to § 8-23-204.

8-23-213.

Sections 8-23-210 - 8-23-213, inclusive, shall only apply to public employee organizations, or state employee associations that qualify for dues deductions pursuant to § 8-23-204.

SECTION 2. This act shall take effect upon becoming law, the public welfare requiring it.